OFFICIAL FILE ILLWOIS COMMERCE COMESSION

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""" STATE OF ILLINOIS ILLINOIS COMMERCE COMMISSION

ILLINOIS-AMERICAN WATER COMPANY) 2008 FEB 27 A 9: 52
) CHIEF CLERK'S OFFICE
Petition for Issuance of Certificate of Public)
Convenience and Necessity to Operate a)
Water Supply and Distribution System and) Docket No. 05-0253
Wastewater Collection System; and for)
approval of water supply plant contribution,)
construction cost refund proposals for water)
and wastewater service, accounting entries,)
depreciation rates and water and wastewater	
rates.	

MOTION TO REOPEN PROCEEDING

Now Comes Illinois-American Water Company ("Illinois-American" or the "Company"), by and through its attorney, and hereby files this Motion to Reopen the Proceeding in order to submit the attached Notice of Failure of Condition Precedent for Effectiveness of Public Convenience and Necessity; or in the Alternative, Motion to Withdraw Certificate of Convenience and Necessity. In support of it Motion to Reopen, Illinois-American states as follows:

As discussed further in the attached Notice of Failure of Condition Precedent for Effectiveness of Public Convenience and Necessity; or in the Alternative, Motion to Withdraw Certificate of Convenience and Necessity, conditions of fact have so changed as to require such reopening. In particular, a condition precedent for issuance of a Certificate of Public Convenience and Necessity ("Certificate"), as described in the Commission's order in this docket of September 28, 2005 ("Final Order"), was not fulfilled. As a consequence, the Certificate conditionally granted to Illinois-American to construct, operate and maintain a public water supply and distribution system and

wastewater collection system in the area described in the Final Order ("Area") did not take effect.

WHEREFORE, Illinois-American respectfully requests that the Commission, pursuant to 83 III. Adm. Code Sec. 200.900, reopen this proceeding for the purpose of considering the Notice of Failure of Condition Precedent for Effectiveness of Public Convenience and Necessity; or in the Alternative, Motion to Withdraw Certificate of Convenience and Necessity.

Respectfully submitted,

ILLINOIS-AMERICAN WATER COMPANY

By:

John J. Reichart

Corporate Counsel

Dated: February 27, 2008

Of Counsel:

John J. Reichart American Water Company 727 Craig Road Creve Coeur, MO 63141 Phone: (314) 996-2287 Facsimile: (314) 997-2451

John.Reichart@amwater.com

VERIFICATION

1, JOHN REICHART	, first being duly	
(Name)	, mot boning duly	
sworn upon oath depose and say that I am	1 AHODNEY	
of ILLINOIS American Watera_	(Type of Entity)	
under the laws of the state of <u>lbline</u>	; that I have read	
the above and foregoing petition by me subscribed and know the contents thereof; that said contents are true in substance and in fact, except as to those matters stated upon information and belief, and as to those, I believe		
same to be true.		
Jon (Name	
AHURNE	Title	
Subscribed and sworn to before me this 2000.		

OFFICIAL SEAL
LAURA H. YOUNG
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 7-22-2811

Notary Public, Illinois

STATE OF ILLINOIS

ILLINOIS COMMERCE COMMISSION

ILLINOIS-AMERICAN WATER COMPANY)
Petition for Issuance of Certificate of Public Convenience and Necessity to Operate a Water Supply and Distribution System and Wastewater Collection System; and for approval of water supply plant contribution, construction cost refund proposals for water and wastewater service, accounting entries, depreciation rates and water and wastewater))) Docket No. 05-0253)))
rates.	

NOTICE OF FILING

TO ATTACHED SERVICE LIST:

YOU ARE HEREBY NOTIFIED that we have, on this 27th day of February, 2008 forwarded via e-Docket to the Chief Clerk of the Illinois Commerce Commission for filing in the above-captioned docket, Notice of Failure of Condition Precedent for Effectiveness of Public Convenience and Necessity; or in the Alternative, Motion to Withdraw Certificate of Convenience and Necessity, a copy of which is hereby served upon you.

John J. Reichart

Corporate Counsel

Illinois-American Water Company

727 Craig Rd.

St. Louis, MO 63141

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT copies of the foregoing Notice, together with the documents referred to therein, were served upon the parties on the attached Service List, by electronic mail from St. Louis, Missouri, on this 27th day of February, 2008.

John J. Reichart, Corporate Counsel